

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Certificate of Transmission**

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Trademark Office, Fax No. (703) 746 - 8695 on 9/12/05.
Total pages in this transmission: 8

Gudrun E. Huckett
Gudrun E. Huckett, Patent Agent

Applicant: Thomas Hugen
Serial No: 10/088,029
Intern. Filing Date: 5 August 2000
Title: Communiting Machine

PCT No.: PCT/EP00/07612
Attorney Docket: 19943518

ATTN: Patricia Booker
Paralegal Specialist - PCT Operations, DO/EO
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

In response to the e-mail notification received today, I am attaching copies of the petition for revival filed June 24, 2002, including fee transmittal sheet and including fax report showing proper transmission of the of three sheets on that day.

Also included is a letter submitted on November 8, 2004, in response to the USPTO letter dated 27 September 2004 stating that no petition to revive has been received. The letter included copies of the petition and also the fee transmittal sheet as well as the fax report mentioned above. A copy of the return card showing that the correspondence has been received on November 10, 2004, is attached also.

It is therefore respectfully requested that the application be revived. As acknowledged in the e-mail, the required fees have been received in the USPTO. Please note the attached change of correspondence address form.

Respectfully submitted on September 12, 2005.

Gudrun E. Huckett
Ms. Gudrun E. Huckett, Ph.D.
Patent Agent, Registration No. 35,747
Lönsstr. 53
42289 Wuppertal, GERMANY
Telephone: +49-202-257-0371
Facsimile: +49-202-257-0372
gudrun.draudt@t-online.de

00000005 501199 10088029
DAH: 501199 10088029
65.00 DA

- Encl.: - 3 pages petition to revive (including 1 sheet fee transmittal sheet) dated 6/24/2002
- 1 page fax report dated 6/24/2003
- 1 page letter dated 11/8/2004 resubmitting the petition
- 1 page copy of return card - correspondence has been received on 11/10/2004
- 1 page change of correspondence address form -PTO/SB/122

PTO/SB/04 (10-01)

Approved for use through 10/31/2002. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
19943518First named inventor: **Thomas Hugen**Application No.: **10/088,029**
PCT/EP00/07612 filed **8/5/2000**
Filed: **3/11/2002**

Art Unit:

Examiner:

Title: **Comminuting Machine****FAXED**
*6/24/02**GET*Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 640 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**the form of U.S. Basic National Fee \$445 (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee of \$ _____.

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/64 (10-01)

Approved for use 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/24/2002

Date



Signature

Telephone
Number: (505) 266-2138

Gudrun E. Hockett, Reg. No. 35747

Typed or printed name

P.O. Box 3187, Albuquerque, NM 87190

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

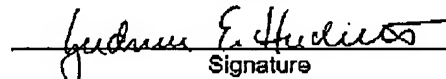
I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. Number of sheets in this transmission: 3

6/24/2002

Date



Signature

Gudrun E. Hockett

Type or printed name of person signing certificate

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/088,029
Filing Date	3/11/2002
First Named Inventor	Thomas Hugen
Examiner Name	
Group Art Unit	
Attorney Docket No.	19943518

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 501199 Deposit Account Name: Gudrun E. Hockett The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127 80</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>138 130</td><td>138 130</td><td>Non-English specification</td><td></td></tr> <tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116 400</td><td>216 200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117 920</td><td>217 460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118 1,440</td><td>218 720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128 1,960</td><td>228 980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119 320</td><td>219 160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120 320</td><td>220 160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121 280</td><td>221 140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141 1,280</td><td>241 640</td><td>Petition to revive - unintentional</td><td>640.00</td></tr> <tr><td>142 1,280</td><td>242 640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143 460</td><td>243 230</td><td>Design issue fee</td><td></td></tr> <tr><td>144 620</td><td>244 310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123 50</td><td>123 50</td><td>Processing fee under 37 CFR 1.17(a)</td><td></td></tr> <tr><td>126 180</td><td>126 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>146 740</td><td>246 370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149 740</td><td>249 370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179 740</td><td>279 370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169 900</td><td>169 900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="2">Other fee (specify) US Basic National Fee</td> <td></td> <td>445.00</td> </tr> <tr> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$)</td> </tr> <tr> <td colspan="2"></td> <td colspan="2">1125.00</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath		127 80	227 25	Surcharge - late provisional filing fee or cover sheet		138 130	138 130	Non-English specification		147 2,520	147 2,520	For filing a request for ex parte reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 400	216 200	Extension for reply within second month		117 920	217 460	Extension for reply within third month		118 1,440	218 720	Extension for reply within fourth month		128 1,960	228 980	Extension for reply within fifth month		119 320	219 160	Notice of Appeal		120 320	220 160	Filing a brief in support of an appeal		121 280	221 140	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,280	241 640	Petition to revive - unintentional	640.00	142 1,280	242 640	Utility issue fee (or reissue)		143 460	243 230	Design issue fee		144 620	244 310	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Processing fee under 37 CFR 1.17(a)		126 180	126 180	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00	146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))		149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))		179 740	279 370	Request for Continued Examination (RCE)		169 900	169 900	Request for expedited examination of a design application		Other fee (specify) US Basic National Fee			445.00	*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)				1125.00	
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SUBMITTED BY		Complete if applicable	
Name (Print Type)	Gudrun E. Hockett	Registration No. (Attorney/Agent)	35,747
Signature	<i>Gudrun E. Hockett</i>	Telephone	505-266-2138
		Date	6/24/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
GUDRUN HUCKETT, PATENT AGENT
505 266 2138
Jun-24-02 10:46AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
367	6/24 10:44AM	1'12"	703 308 6916	Send.....	3/ 3	EC144	Completed.....
Total		1'12"	Pages Sent: 3	Pages Printed: 0			

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.17(b)

First named inventor: **EDWARDS, Eugene**

Application No.: **10/088,029** Art Unit:
PCX/EP00/07612 Filed: **8/5/2000**
Filed: **3/11/2002** Examiner:

THE **Combining Machine**

Attention: Office of Patents
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Patents Information at (703) 305-6212.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice of action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice of action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A revivable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and patent applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☒ Small entity fee \$ **540** (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☐ Other than small entity fee \$ _____ (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action is in the form of **U.S. BASIC PATENT FOR 3445** (Identify type of reply):
☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee of \$ _____
☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is to be used to file a petition for revival. There are very demanding time requirements for filing this form. Any comments on the format of this form are requested to be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DHL EXPRESS 552 6567 653**

Applicant: Thomas Hugén
Serial No: 10/088,029
Intern. Filing Date: 5 August 2000
Title: Comminuting Machine

PCT No.: PCT/EP00/07612
Attorney Docket: 19943518

Mail Stop PCT
ATTN: Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

The undersigned received a response dated 27 September 2004 responding to status inquiries filed on 10 February 2004 and 2 July 2004.

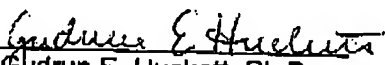
The response states that no petition for revival has been found in the incoming papers.

A **copy of the petition** faxed on 24 June 2002 is attached. The undersigned herewith states that the copy is a true copy and, as evidenced by the certificate of mailing or transmission by fax on page 2 of the Petition for Revival, that she has faxed the papers on June 24, 2002, to the USPTO at fax number provided in the certificate. Also attached is a **confirmation report** printed by the fax machine of the undersigned showing that the transmission of three pages was successfully completed on June 24, 2002, to the fax number provided in the certificate of transmission (this is the fax number provided by the USPTO on the official petition form).

Note that the undersigned has relocated to GERMANY since filing the petition for revival.

It is therefore respectfully requested that the application be revived and that the required fees be charged to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on November 8, 2004.


Ms. Gudrun E. Hockett, Ph.D.
Patent Agent, Registration No. 35,747
Lönsstr. 53
42289 Wuppertal
GERMANY
Telephone: +49-202-257-0371
Facsimile: +49-202-257-0372
gudrun.draudt@t-online.de

Encl.: - 3 pages petition to revive including fee transmittal sheet (1 sheet)
- 1 page fax report

DHL EXPRESS 552 6567 653 Date: November 8, 2004 Docket: 19943518

Please acknowledge receipt of the documents listed below by placing your receiving stamp on this card and returning this card to the addressee.

Response Letter

Inventor(s): Thomas Hugen

Title: Communiting Machine

Application Ser. No.: 10/088,029

Filing Date: 3/11/2002 **NOV 10 2004** **Rec'd PCT/PTO**

Documents submitted:

Cover letter:

☒ (1 page/s)

Copy of Petition (incl. fee transmittal):

☒ (3 page/s)

Copy of Fax Report:

☒ (1 page/s)

Gud

MANY